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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,387	03/06/2002	Tsuyoshi Kunieda	100809-00172(SCEY 19.483)	8259
26304	7590	06/09/2004	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			COBURN, CORBETT B	
			ART UNIT	PAPER NUMBER
			3714	
DATE MAILED: 06/09/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,387

Applicant(s)

KUNIEDA ET AL.

Examiner

Corbett B. Coburn

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 28 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 28 is drawn to a computer program *per se*. SEE MPEP 2106.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 9-16, 17-25 & 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Kataoka et al. (US Patent Number 5,766,079).

Claims 1, 10, 19: Kataoka teaches a virtual space control method, comprising the steps of: changing a direction of a prescribed part of a virtual character (the turret of the tank) in a virtual space; and moving a fixation point (the viewpoint or target angle) in the virtual space in response to the change in direction of the prescribed part. (Figs 8 & 9, Col 2, 17-29) The player rotates the turret of the tank to view a different area in the virtual space.

Claims 2, 11, 20: Kataoka teaches that the game image may be a fighter. (Col 9, 55-57)

A fighter is a virtual character with a head. The head corresponds to the turret of the tank. Therefore, the step of changing a direction has a step of changing an orientation of

a head of the virtual character as the change in direction of the prescribed part, and the step of moving a fixation point has a step of moving the fixation point in response to the change in orientation of the head of the virtual character.

Claims 3, 12, 21: Kataoka teaches receiving an operation command input from the virtual character, and that the step of changing a direction has a step of changing the direction of the prescribed part in response to the operation command input. The player provides input that causes the turret to move in response thereto. (Col 2, 18-29)

Claims 4, 13, 22: Kataoka teaches detecting occurrence of a prescribed event (i.e., the user inputting a rotation command), and wherein the step of changing a direction has a step of changing the direction of the prescribed part in response to the occurrence of the prescribed event.

Claims 5, 14, 23: Kataoka teaches moving the virtual character in the virtual space, and wherein the step of moving a fixation point has a step of moving the fixation point in the virtual space in response to movement of the virtual character and to the change in direction of the prescribed part. The turret moves to change the viewpoint.

Claims 6, 15, 24: Kataoka teaches generating a prescribed object in the virtual space only when a movement of the virtual character occurs, and the direction of the prescribed part is changed into a prescribed direction. This is interpreted to mean that the game does not generate images unless they are visible. Thus, for instance, no image is shown for objects that are behind the tank unless the turret is traversed to bring the object into view.

Claims 7, 16, 25: Kataoka teaches setting target coordinates in the virtual space, and wherein the step of changing a direction has a step of changing the direction of the

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prescribed part of the virtual character toward the direction of the target coordinates. (Col 2, 18-29)

Claims 9, 18, 27: Kataoka teaches causing operation of another part influenced by operation of the prescribed part in a pre-established prescribed operating proportion. The tank body follows the direction of sight. (Figs 10 & 11)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8, 17 & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kataoka as applied to claim 1, 9 or 19.

Claims 8, 17, 26: Kataoka teaches the invention substantially as claimed, but does not specifically teach setting a limit to a direction changeable range of the prescribed part (i.e., the head) of the virtual character Kataoka teaches that the game image may be a fighter. (Col 9, 55-57) Fighters are human. Humans have a limited range of motion in their heads. It would have been obvious to one of ordinary skill in the art at the time of the invention to have set a limit to a direction changeable range of the prescribed part (i.e., the head) of the virtual character in order to realistically depict the movement of the human head, thus carrying out the teaching of Kataoka.


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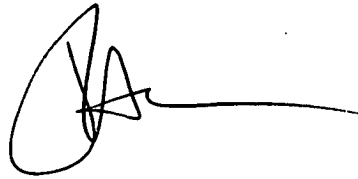
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (703) 305-3319. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Harrison can be reached on (703) 308-2217. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


cbc


JESSICA HARRISON
PRIMARY EXAMINER